

**TOWN OF FREDERICK, COLORADO
ORDINANCE NO. 1004**

052

**REGARDING THE RESCISSION OF ORDINANCE 895 APPROVING
THE WYNDHAM HILL FILING 1, REPLAT A, AND REVERSION TO
THE FINAL PLAT FOR WYNDHAM HILL FILING 1**

WHEREAS, the owner of Wyndham Hill Filing 1 has petitioned the Town to rescind Wyndham Hill Filing 1 Replat A and revert to the original Wyndham Hill Filing 1 Final Plat; and

WHEREAS, no real property was sold pursuant to the property descriptions shown in Wyndham Hill Filing 1, Replat A, and all owners of real property subject to Wyndham Hill Filing 1, Replat A have signed the request to rescind the plat;

WHEREAS, no public dedications, easements or rights of way will be affected by a reversion to the original Wyndham Hill Filing 1 Final Plat; and

WHEREAS, the Board of Trustees of the Town of Frederick finds it necessary to facilitate the division of real property within the Town's boundaries, including rescission of land use actions that may interfere with the free exercise of developable land and reversion to previous land use approvals under appropriate circumstances.

**BE IT ORDAINED BY THE BOARD OF TRUSTEES OF THE TOWN OF
FREDERICK, COLORADO, AS FOLLOWS:**

Section 1. Ordinance 895 approving the Wyndham Hill Filing 1, Replat A, which re-configured Lots 1-14 Block 14, Lots 1-9 Block 15, and Lots 1-18 Block 24 and reduced the number of lots therein from 41 to 38 in a portion of Wyndham Hill Filing 1, is hereby rescinded by request of the owners of 100% of the real property subject to Replat A.

Section 2. Upon rescission of Ordinance 895, the Board's action approving the final plat for Wyndham Hill Filing 1 in Ordinance 799 shall control regarding the legal descriptions for sale and transfer of real property within Wyndham Hill Filing 1.

Section 3. Effective date. This ordinance shall be published and become effective as provided by law.

Section 4. Severability. If any part, section, subsection, sentence, clause, or phrase of this ordinance is for any reason held invalid, such invalidity shall not affect the validity of the remaining sections of the ordinance. The Town hereby declares that it would have passed the ordinance including each part, section, subsection, sentence, clause or phrase thereof, irrespective of the fact that one or more part, sections, subsections, sentences, clauses, or phrases be declared invalid.

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Section 5. Repealer. All ordinances or resolutions and motions of the Board of Trustees of the Town of Frederick or parts thereof in conflict with this ordinance are, to the extent of such conflict, hereby superseded and repealed, provided that such repealer shall not repeal the repealer clauses of such ordinance, resolution or motion, nor revive any ordinance, resolution, or motion thereby.

**INTRODUCED, READ, PASSED, ADOPTED AND ORDERED PUBLISHED
THIS 14th DAY OF JULY, 2009.**

ATTEST:

By *Nanette S. Fernof*
Nanette S. Fernof, Town Clerk

TOWN OF FREDERICK

Eric E. Doering
Eric E. Doering, Mayor



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